

REMARKS

I. Status of Claims

Claims 1-16 are pending. Claims 1 and 9 are independent.

II. Rejections under 35 U.S.C. §102(e) as being anticipated by SHIN et al. (US 2004/0006734 A1)

The Examiner has rejected claims 1-16 under 35 U.S.C. §102(e) as being anticipated by SHIN et al. (US 2004/0006734 A1), hereafter SHIN. Applicants respectfully request reconsideration of the rejections because SHIN neither explicitly nor implicitly, discloses, teaches, suggests, nor anticipates each and every limitation of the claims. In particular, starting with independent claim 1, the claim requires:

A method for controlling a decoder when a first data and a second data are successively received in a mobile communication system, comprising the steps of:

- a) decoding the first data;
- b) determining whether the completion status of the decoder is; and
- c) interrupting the decoding of the first data at a predetermined time before a response (ACK/NAK) time delay of the first data expires if the decoder is still in operation to decode the first data at a decoding start time of the second data (emphasis added).

Applicants respectfully disagree with the Examiner that SHIN anticipates claim 1. Specifically, Applicants argues that at the least SHIN fails to anticipate “interrupting the decoding of the first data at a predetermined time before a response (ACK/NAK) time delay of the first data expires if the decoder is still in operation to decode the first data at a decoding start time of the second data” as recited in Applicants’ claim 1. The Examiner cited steps 16-36 of drawing figure 2 as disclosing the Applicants’ above emphasized subject matter. SHIN’s teaching focuses on minimizing the number of iterations of decoding for a block of Turbo code. Paragraph 4 of SHIN clearly indicates that each block of Turbo code is decoded several times

and that each of the decodings are an iteration. Thus, SHIN's teaching is concerned with a single block of Turbo code and not a first and second data as required by claim 1. Since SHIN's teaching is not concerned with more than a single block of Turbo code, SHIN cannot teach interrupting the decoding of the first data if the decoder is still in operation to decode the first data at a decoding start time of the second data. Furthermore, SHIN does not disclose interrupting the decoding of the first data at a predetermined time before a response (ACK/NAK) time delay of the first data expires. Specifically, SHIN does not disclose an expiration of a response (ACK/NAK) time delay. Therefore, at the least, SHIN does not anticipate "interrupting the decoding of the first data at a predetermined time before a response (ACK/NAK) time delay of the first data expires if the decoder is still in operation to decode the first data at a decoding start time of the second data" as recited in Applicants' claim 1.

In view of the above arguments, SHIN fails to anticipate each and every limitation of claim 1. Therefore, claim 1 is allowable over SHIN for the reasons given above and withdrawal of the rejection is hereby solicited. Independent claim 9 comprises similar subject matter to that of claim 1 and is therefore allowable for similar reasons. Dependent claims 2-8 and 10-16 are allowable for the reasons given above by virtue of their dependence on independent claims 1 and 12.

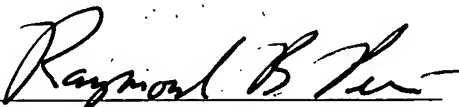
Appl. No. 10/698,405
Amdt. dated June 13, 2006
Reply to Office Action of March 3, 2006

III. Conclusion

In view of the above, it is believed that the above-identified application is in condition for allowance, and notice to that effect is respectfully requested. Should the Examiner have any questions, the Examiner is encouraged to contact the undersigned at the telephone number indicated below.

Respectfully submitted,

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